

108TH CONGRESS
1ST SESSION

H. R. 398

To revise and extend the Birth Defects Prevention Act of 1998.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2003

Mr. FERGUSON (for himself, Mr. DINGELL, Mr. BROWN of Ohio, and Mr. STUPAK) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To revise and extend the Birth Defects Prevention Act of 1998.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Birth Defects and De-
5 velopmental Disabilities Prevention Act of 2003”.

6 **SEC. 2. NATIONAL CENTER ON BIRTH DEFECTS AND DE-**
7 **VELOPMENTAL DISABILITIES.**

8 Section 317C of the Public Health Service Act (42
9 U.S.C. 247b–4) is amended—

10 (1) in subsection (a)(2)—

1 (A) in subparagraph (A)—

2 (i) by striking “and developmental
3 disabilities” and inserting “, developmental
4 disabilities, and disabilities and health”;
5 and

6 (ii) by striking “subsection (d)(2)”
7 and inserting “subsection (c)(2)”;

8 (B) in subparagraph (B), by striking
9 “and” at the end;

10 (C) in subparagraph (C), by striking the
11 period and inserting a semicolon; and

12 (D) by adding at the end the following:

13 “(D) to conduct research on and to pro-
14 mote the prevention of such defects and disabil-
15 ities, and secondary health conditions among in-
16 dividuals with disabilities; and

17 “(E) to support a National Spina Bifida
18 Program to prevent and reduce suffering from
19 the Nation’s most common permanently dis-
20 abling birth defect.”;

21 (2) by striking subsection (b);

22 (3) in subsection (d)—

23 (A) by striking paragraph (1) and insert-
24 ing the following:

1 “(1) contains information regarding the inci-
2 dence and prevalence of birth defects, developmental
3 disabilities, and the health status of individuals with
4 disabilities and the extent to which these conditions
5 have contributed to the incidence and prevalence of
6 infant mortality and affected quality of life;”;

7 (B) in paragraph (3), by inserting “, devel-
8 opmental disabilities, and secondary health con-
9 ditions among individuals with disabilities”
10 after “defects”;

11 (C) in paragraph (4), by striking “and” at
12 the end;

13 (D) by redesignating paragraph (5) as
14 paragraph (7); and

15 (E) by inserting after paragraph (4) the
16 following:

17 “(5) contains information on the incidence and
18 prevalence of individuals living with birth defects
19 and disabilities or developmental disabilities, infor-
20 mation on the health status of individuals with dis-
21 abilities, information on any health disparities expe-
22 rienced by such individuals, and recommendations
23 for improving the health and wellness and quality of
24 life of such individuals;

1 “(6) contains a summary of recommendations
2 from all birth defects research conferences sponsored
3 by the Centers for Disease Control and Prevention,
4 including conferences related to spina bifida; and”;
5 (4) in subsection (e)—

6 (A) by inserting “, including section 444 of
7 the General Education Provisions Act,” after
8 “privacy of information”; and

9 (B) by inserting before the period the fol-
10 lowing: “, except that the Centers for Disease
11 Control and Prevention shall have access to in-
12 formation under section 444(b)(1)(F) of such
13 Act solely for purposes of carrying out sub-
14 section (a)(2) of this section and shall otherwise
15 comply with all other requirements of such sec-
16 tion 444”;

17 (5) by redesignating subsections (c), (d), and
18 (e) as subsections (b), (c), and (d), respectively;

19 (6) by inserting after subsection (d) (as so re-
20 designated), the following:

21 “(e) ADVISORY COMMITTEE.—Notwithstanding any
22 other provision of law, the members of the advisory com-
23 mittee appointed by the Director of the National Center
24 for Environmental Health that have expertise in birth de-
25 fects, developmental disabilities, and disabilities and

1 health shall be transferred to and shall advise the National
 2 Center on Birth Defects and Developmental Disabilities
 3 effective on the date of enactment of the Birth Defects
 4 and Developmental Disabilities Prevention Act of 2003.”;
 5 and

6 (7) in subsection (f), by striking “\$30,000,000”
 7 and all that follows and inserting “such sums as
 8 may be necessary for each of fiscal years 2003
 9 through 2007.”.

10 **SEC. 3. TECHNICAL CORRECTIONS FOR STATE COUNCILS**
 11 **ON DEVELOPMENTAL DISABILITIES.**

12 Section 122(a) of the Developmental Disabilities As-
 13 sistance and Bill of Rights Act of 2000 (42 U.S.C.
 14 15022(a)) is amended—

15 (1) in paragraph (3)(A)(ii), by inserting before
 16 the period the following: “, the amount received by
 17 the State for the previous year, or the amount of
 18 Federal appropriations received in fiscal year 2000,
 19 2001, or 2002, whichever is greater”; and

20 (2) in paragraph (4)(A)(ii), by inserting before
 21 the period the following: “, the amount received by
 22 the State for the previous year, or the amount of
 23 Federal appropriations received in fiscal year 2000,
 24 2001, or 2002, whichever is greater”.

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